

**Region 7 CAC/Legislator Open House**  
**December 18, 2015**  
**FWP R-7 Headquarters, Conference Room**

**CAC Present:** Ed Joiner, Gary Sparks, Ed Bukoskey, Mark Frisinger, Bob Gilbert, Robert Hagedorn, George Luther, Bill Klunder, and Dale Kreiman

**CAC absent:** Glenn Heitz

**FWP Present:** Paul Sihler, Brad Schmitz, John Ensign, Mike Backes, Ryan DeVore, Jonathan Kaiser, Todd Enders, Brandi Skone, Nate Powell, Jackie Tooke, Erin O'Connor and Vanessa Zeitner

**Legislators Present:** Geraldine Custer – HD 39. Ms. Custer is currently the Clerk & Recorder for Rosebud Co. She is retiring at the end of 2014 after 36 years in this position. Her district covers part of rural Custer County, Rosebud and Treasure Counties, and part of Yellowstone County to Huntley. She is on the tax, federal energy, and telecommunications committees.

Brad began by thanking everyone for coming and discussed his intentions for this meeting. He would like our CAC members to hear from area legislators before the upcoming session. He introduced Paul Sihler, Chief of Operations, from Helena.

Paul showed the "Choices for the Future" video. Attendees were asked to introduce themselves, and Paul thanked everyone for the great turnout. He then discussed fish and wildlife funding and hunting and fishing license prices. Next, attendees were shown a PowerPoint presentation on the proposed fee increase and some choices for the future. Paul introduced Bob Gilbert, CAC member, as also being a part of the License Funding Advisory Council (LFAC).

**PowerPoint presentation:** Current funding levels will not sustain existing programs. We need to increase our revenue, decrease our expenditures or redirect some earmarked funding. One of these options or a combination of the three is needed to address the \$5.7 million funding gap. That decision has to be made by the Legislature.

Fish and wildlife management's yearly operations budget is \$71 million, two-thirds of which comes from license sales and one-third from excise taxes. (Of note is that two-thirds of license sales income comes from nonresidents and one-third from residents.) FWP receives only \$300,000 from the general fund for fish and wildlife management; however, that money was specifically earmarked for aquatic invasive species (AIS) prevention. The current FWP funding model is a 10-year cycle. We have had more revenue at the front end of that cycle than expenditures, except for the last four years when we've been spending out of our 'savings account' because expenditures are now greater than our revenue on an annual basis. Our last general license fee increase for residents came in 2005; nonresidents was in 2003. In 2017, without some adjustments, the savings account will no longer cover our expenses on the current level of programs.

The current situation wasn't necessarily unexpected. Expenditures have increased because of inflationary factors and added new programs. Declining license sales have resulted from the 2010-11

winter, disease issues, national economy downturn, declining national participation, I-161 fee increases, and wolf perception. So far we have cut \$1.2 million of license spending and started spending money out of the federal money fund instead. That left \$2 million per year in our savings account. Something else to keep in mind with all this, though, is that there's lag time between when the Legislature passes a bill and we actually get that revenue. If the Legislature were to pass a fee increase bill, and that bill was signed by the governor on May 1, our fiscal year ends in July, the new license year with the new prices wouldn't start until February 2016.

Where do we go? Our options are: 1-resident fee increase, 2-potential redirection of 23 earmarked license funds, 3-more program cuts, or 4-a combination of these choices. Governor Bullock appointed the LFAC, which was tasked with evaluating license complexity, structure, and long-term funding solutions. Some of the LFAC recommendations included an additional \$8 to the price to hunt and \$3 to the price to fish; change senior discount age from 62 to 67; standardize all discounted license opportunities at 50% of the full price, and move to a four-year rather than 10-year funding cycle. Of note is that approximately \$4.9 million is currently given away through the Department's variety of discounted licenses each year. The EQC reviewed and evaluated hunting and fishing licensing and made some adjustments.

The alternative of potential budget cuts could mean less enforcement, less hunter harvest surveys and wildlife research, fish hatchery closures, reduced game damage assistance, reduction in fishing access site (FAS) maintenance, less dissemination of public info, reduced Brucellosis risk management, and less administration of license sales. These are all things that are funded out of the general license fund. Redirection or elimination of earmarks would affect Block Management, Habitat Montana, upland game bird habitat program, FAS operation and management, wolf collaring and depredation, and FAS acquisition.

Paul then asked if there were any questions.

Dean Siefert (public) – One thing that has come to his attention recently, and is disturbing to him, is Senator Brenden's intentions with the upland game bird program. There are plans of that \$3.2 million going somewhere else. He would like to inform Senator Brenden that he will make a trip to Helena if need be and "will figuratively clear house and take perverse delight in watching Brenden suffer." There is seven wolf biologists mandated by the legislature. He also noticed that there are no newly elected state senators and representatives at this meeting.

Ed Bukoskey (CAC) – What does the EQC have to do with the LFAC? Paul replied that EQC wanted to take \$500,000 of revenue out of the equation and reduce that revenue by reducing the price that resident anglers would have to pay (\$6 - \$3). Bob Gilbert added that the EQC thought the LFAC had \$500,000 too much in there and that's where they decided to take the reduction from.

Gary Sparks (CAC) – Did the LFAC look at any possibility of increasing nonresident fees or where did those stack up in this? Paul said that the recommendations also increase the price of nonresident

fishing licenses to the tune of \$2.3 million/year. The proposal was for an \$8 increase for residents and a \$10 increase for nonresidents for hunting licenses.

Bob Gilbert (CAC) – The active duty military currently get free fishing licenses. The LFAC didn't want to do away with that. They felt it was good for our citizen soldiers and the legislature saw it fit to fund it fully out of the general fund. Those licenses only amount to about \$11,000/year.

D. Siefert – What would it take to get MT legislature out of this business? Paul said it would take the legislature passing a bill and that's not likely to happen. Brad mentioned the public trust doctrine. As a business we are tasked with managing the trust. Our mission says we will try to perpetuate strong populations and opportunities for our citizens to use those. The legislatures are the trustees in charge of this. They have a little different view than we do sometimes as wildlife professionals, but they also have a different accountability to the general public as a whole. Our Commission is assigned by the legislative body, followed up the Governor and then our Director. That combination is our trustees.

Paul then moved on to give a summary of the legislative bill drafts proposed by the Department.

- LC379 - would allow for electronic signatures on license drawing applications.
- LC380 - would allow for the development of a dock on Wild Horse Island State Park in Region 1, providing easier access to the park for elderly and handicapped persons.
- LC381 - would provide for automatic and mandatory loss of privileges for 24 months when an individual is convicted for misusing duplicate replacement licenses.
- LC382 - proposes to make it unlawful for any transport of live fish in the state. This would expand the prohibition to the eastern fishing district, making the requirement consistent across the state. Prohibiting the transport of live fish throughout the state would also improve the Department's ability to detect and prevent the illegal introduction of unauthorized fish in the state's waters.
- LC384 - would create an enterprise fund where the revenue received from the sales of educational, commemorative and interpretive merchandise and teaching resource materials would go back into the program that originally provided the dollars to purchase the materials for re-sale.

George Luther (CAC) asked if there are any other Enterprise accounts in the Department to which Paul replied that vehicles and aircraft are both enterprise accounts. Paul said the enterprise account pays for gas and purchasing vehicles.

- LC596 - would allow state parks to enter into concessionaire contracts for a term longer than seven years and up to 20 years with the approval of the Parks & Recreation Board.
- LC385 - This is a bill from the EQC, a standing committee of the legislature, to implement the recommendations of the Department's LFAC. It would adopt a four-year budget review cycle for FWP funding; standardize the price of free and discounted hunting and fishing licenses at 50% of the equivalent, full-priced license; increase the eligibility age for senior licenses from 62 to 67, and increase the price of a resident fishing license by \$3 and hunting license by \$8.
- Come Home to Hunt/Nonresident Montana Native hunting licenses - would implement recommendations of the Private Lands/Public Wildlife Council. Would repeal the "Nonresident Montana Native License" and amend the Come Home to Hunt license to include some of the eligibility and provisions of MCA 87-2-514, set the price of the license at one-half the price of

nonresident general big game or deer combos, and direct the money collected from sale of licenses be used by FWP to secure public hunting access to public land that is currently inaccessible.

Bob Hagedorn (CAC) asked if Paul thought the amount of these licenses issued would stay the same in one category as they have been in two separate categories. Paul replied that he thought there would be a cap on the number of licenses that would be issued but wasn't sure what that amount would be.

Dale Kreiman (CAC) asked if the Department thinks it will make more revenue than it costs to implement this change. Paul said yes, the revenue from this combined license will be another earmarked program that would be earmarked for access across private land to public land behind it.

Kelly Radue (public) stated that he is a Landowner Sponsor. How do these programs relate to the Landowner Sponsor program? Paul state that they don't; they are separate and unrelated.

B. Gilbert – added that one of the points the LFAC discussed concerning this was that Nonresident Montana Native licenses are four times the price of resident licenses, which is a large discount. The folks purchasing those licenses are nonresidents; when you leave the state of Montana, you are no longer a Montana resident. When we cut the prices of those licenses down that low, that puts a burden on all of the hunters in Montana who buy licenses and they then have to pay a little bit more to make up the operating difference so FWP can keep operating at current levels. That was the rationale the LFAC used.

Bill Klunder (CAC) asked if there is other states that do this, to which Paul said not that he knows of but isn't sure.

Brad then asked if Representative Custer (HD39) would like to address the group on any concerns or items she has, FWP-related or otherwise. Ms. Custer said she mainly came to this meeting to find out what the Department's key issues are and who key players are so she knows who to contact if anything comes up. Brad thanked her for coming and encouraged her if she has any questions or concerns to feel free to reach out to us at any time.

### **CAC Roundtable Discussion**

Brad asked the CAC members to go around the room and voice any concerns or questions that they had at this time.

D. Kreiman – Why is FWP unpopular? Why is there such a dislike of the Department? This has been on his mind a lot since our last meeting. From what he hears, the one thing that comes up is people feel FWP has become a heavy-handed bureaucratic organization. People don't feel FWP wants their input and doesn't use it to make their decisions.

Brad asked if there are suggestions Dale would give him. Dale said, of all regions, he is delighted to represent Region 7. He had some nonresident hunters who couldn't say enough good about the Block Management gals and office staff in Miles City. FWP needs to ask itself if they want public input and if they are willing to use it to make their decisions. The public thinks FWP only deals with what they have to. He feels we can make FWP more public. The bottom line is we're all after the same goal. Money

spent on public meetings is not very well spent because no one shows up. Public places like county fairs and ag shows would be good venues for FWP.

Brad – We have had that discussion internally. He has also talked to the Director about this and how we can get people to attend our meetings and be open to visiting with us. His goal is to get out and visit with folks and be a face and a name out there. He has encouraged his staff to do the same. Warden Kaiser put up a booth at our county fair this year and overall response was very positive. We have a bit of a challenge coming up as our Information Officer, Cathy Stewart, has recently resigned.

B. Klunder – Met Warden Kaiser while out fishing and it was a pleasure. In Terry, there have been some wardens who haven't been so popular. He is hearing from people that tags being cut back wasn't a popular move, particularly with antelope. There is more antelope in some places than others. There has also been a good number of mule deer in the Yellowstone valley. Could we make those cuts more localized? Brad replied that John (Ensign, R-7 Wildlife Manager) has recently proposed to issue mule deer B tags next year. He has proposed that they would be in place by district. There has been some internal talk about localizing antelope.

G. Luther – Working with some of the younger law enforcement guys has been good this year. It seemed this hunting season was a little quieter than last year. He hears a lot of about the archery elk issues from both the outfitters/guides and hunters; that is a hot button. He doesn't envy the Department and some of the issue its experiencing right now. Sometimes people lose sense of what's important and they really need to back up and think about it. They had that talk one night at Colstrip regarding the deer management area and what they're going to do what that. Colstrip is always going to have a deer problem. He wants to thank the Commission for working with communities to give them opportunities to control deer problems. Sage grouse is a huge question yet from the federal folks on down and it won't be settled for a while.

Brad mentioned he is hoping to discuss sage grouse at the CAC summer meeting.

G. Luther – Can FWP get completely over public perception? Knocking on doors creates a lot of good.

B. Hagedorn – Dale's comments ring true in Powder River County as well; FWP is viewed the same there. Public contacts are good. Any public-funded agency needs to live within their budget. There's a perception that no matter how much funding there is it's never enough.

B. Gilbert – Perception is reality. He has had a good relationship with FWP in all his years as a lobbyist and legislator. There have been bumps in the road but you don't take those issues personally. He likes the comments about the fair booth. Going to service clubs would be beneficial, too, especially if there's hot button issues. Getting out and meeting the public is one of the biggest things. Open coffee groups would be a good place to drop in. He wants FWP to have a good image. Paul is doing a hell of a job. He encourages people that if they have disagreements to be nice about it; don't make threats. There's no sense being a troublemaker; be a diplomat and a solution solver. Continue to work on credibility and public perception.

Mark Frisinger – He remembers when Jim Logan was the game warden when Mark was growing up. The things Jim did as a warden had a lasting impression. Public relations start with kids.

E. Bukoskey – The kids fishing day at Castle Rock has a positive impact on kids. He has worked for two different sessions to try to get warden salaries up. He would like to see part of the license fee increase earmarked for warden pay raises.

Paul replied that the Director has worked really hard on this but has been unable thus far to make the progress he'd like.

E. Bukoskey – He is a Bow Ed instructor. What about lighted nocks on bows? They teach in Bow Ed to always find your arrow; lighted nocks would assist in finding missing arrows. The MT Bowhunters Association is a political arm that exercises a lot of personal voices.

Paul replied that there have been bills surrounding lighted nocks the last two sessions; they were killed both times.

B. Gilbert then asked if lighted nocks was a Commission decision, to which Paul said no, it is legislative.

B. Gilbert stated that it would make more sense for this to be left to the Commission.

E. Bukoskey – It seemed like there was a lot of western Montana people hunting deer on public land over here this year. There are several trophy deer areas in the western side of the state; maybe those areas need to be handled a little differently.

Gary Sparks – Asked about the recent issue in western Montana with a hunter and elk tagging and the Wardens TV show cameraman being involved. This came up in coffee shops; people were upset. Why not put body cameras on wardens instead of having a camera crew? It's hard to repair image to the public. In regards to lost revenue, nonresident don't come back.

Paul commented that the story in newspapers was only one side of the story where we heard from the hunter. The warden, who was the other half of the equation, wasn't quoted in that story. This issue has since been resolved. Paul then told the details of what actually happened in the situation. The warden made a judgment call based on what he had witnessed. Most people don't know the other side of the story.

G. Sparks – Replied that we need to get that stuff in the papers. The people that he talked to also were concerned with having an outside source riding along; they didn't think that was good for the state.

Ed Joiner – Had a person talk to him about hearing of a potential law that would allow guides to go onto Forest Service. He is curious if there is anything to that.

Brad replied that Forest Service rules are a lot different and we don't have a lot of regulation over outfitting. The public still has opportunity on public land where there are guides that they don't otherwise have on guided private land.

E. Joiner - He teaches Hunter Ed, which has been real positive. Wardens always come and do a good job with their presentations. A lot of people in his area are used to Reservation rules so going on Forest

Service, etc., is different for them. He then relayed a story about he and his son helping a first-year hunter get his deer. He appreciates what everyone does to make Hunter Ed available in his area.

E. Bukoskey – Added that at his Bow Ed class in Forsyth, they see a lot of people from all over the state including great distances away. There needs to be more field days available in other locations.

Brad wrapped up the CAC member discussion by reminding folks that the CAC program is managed by our Information Officer, which is Cathy who is resigning. Like Paul mentioned, we are up against some budget restraints. That said, we probably won't be able to refill that position until after the legislative session. That puts us up against timeframes for Kids Fishing Days, upcoming CAC meetings, etc., as well as has an effect on the eagle cam project, Hunter Education and other programs. We will try to spread duties around as best we can. He mentions this just so folks are aware of that and that things will be a little tight for a while until we can get a new person hired and up to speed. We will do our best to get the next meeting planned and he hopes to have the sage grouse discussion that members have been interested in done at that time.

#### **Public Open Floor**

Chuck Landry – Moved here from Alaska in 2008. Thinks the wardens do a great job. He then mentioned several instances of wasted game that he found in the field recently.

K. Radue – He wants to support local wardens and local folks as best he can. The wardens have been a pleasure to work with. He is a member of the local Pheasants Forever chapter. He couldn't agree more with the idea of having coffee with folks and stopping in for visits.

Dan Bricco – Has a question for Paul. Suppose the proposed fee increase goes through; how near will that come to making things well? Paul replied that would keep all existing programs in place at the existing levels for four years. Dan added that it has taken over 30 years to get an upland game bird biologist and he would hate to lose that position.

Dean Siefert – In 2012, he was told that when the Parks shake-up happened in 2013, Pirogue Island State Park was first on the list to be turned into a Wildlife Management area. That has not happened. Brad replied that it's still under Parks; the Parks Board is who makes the decisions on that. There is enough separation between Fish and Wildlife and Parks that he doesn't have much say in things like that anymore. Inquiries should be directed to Doug Habermann and Chas Van Genderen.

Meeting was adjourned.